

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	Case No. 13-49157-659
)	
Daniel and Sally Kaestner,)	Chapter 7
)	
Debtors.)	<u>APPLICATION TO EMPLOY</u>
)	<u>COUNSEL</u>
)	

Comes Now A. Thomas DeWoskin, Trustee herein, and states that:

1. Applicant is the duly appointed, qualified and acting Trustee herein.
2. Applicant makes this application pursuant to 11 U.S.C. §327. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§151 and 1334 and Local Rule 9.01 of the United States District Court for this District. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2). Venue is proper pursuant to 28 U.S.C. §1409.
3. Applicant desires to employ Jeffrey R. Schmitt, an attorney duly admitted to the practice of law before this Court, and the law firm of Danna McKittrick, P.C., to assist and advise him with respect to certain matters which Applicant believes requires the services of an attorney.
4. Applicant requires the services of an attorney to assist the Trustee in investigating and recovering potential assets, including the Estate's interest the Debtor's residence and a 1931 Kaybow boat.
5. Legal services are also required to assist the Trustee in the negotiation and drafting of legal documents, the prosecution of objections to exemptions, objections to claims, and other matters arising in the administration of this bankruptcy estate.
6. Applicant's proposed counsel is experienced in bankruptcy matters and is

capable of handling the aforesaid matters.

7. To the best of Applicant's knowledge, his proposed counsel does not represent any interest adverse to Applicant, to the estate or to its creditors, has no connection with the U.S. Trustee for this region or his employees, and is a disinterested person. A copy of counsel's affidavit is attached hereto as Exhibit A and made a part hereof by this reference.

8. The employment of Applicant's proposed counsel would be in the best interests of this bankruptcy estate.

WHEREFORE, Applicant prays that he be authorized to employ counsel for the purposes set forth herein, together with such other and further relief as the Court may deem proper.

/s/ A. Thomas DeWoskin
A. Thomas DeWoskin, #25320MO
7701 Forsyth Blvd., Suite 800
St. Louis, Missouri 63105
(314) 726-1000 / (314) 725-6592 (fax)
tdewoskin@dmfirm.com
Chapter 7 Bankruptcy Trustee

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Application was served the following by first-class mail, postage prepaid, on the 29th day of April, 2014.

Office of the United States Trustee
111 South Tenth Street, Room 6353
St. Louis, Missouri 63102

Jeffrey R. Schmitt
Danna McKittrick, P.C.
7701 Forsyth Blvd., Suite 800
St. Louis, Missouri 63105

Michael L. Sokolik
Sokolik Law Firm, LLC
PO Box 32853
St. Louis, MO 63132
Attorney for Debtors

/s/ A. Thomas DeWoskin

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:) Case No. 13-49157-659
)
Daniel and Sally Kaestner,) Chapter 7
)
Debtors.) **AFFIDAVIT OF PROPOSED**
) **ATTORNEY**
)

Jeffrey R. Schmitt, being duly sworn, deposes and states:

1. I am an attorney at law duly admitted to practice in this Court.
2. I am an employee of the law firm of Danna McKitrick, P.C.;
3. My current hourly rate is \$260.00, subject to periodic adjustment;
4. To the best of my knowledge, neither I nor my law firm represent the Debtor, any creditor with respect to a claim against the Debtor, or any interest adverse to those of the Trustee herein, this estate or its creditors;
5. I am a disinterested person as defined in 11 U.S.C. § 101;
6. I have no connection with the U.S. Trustee for this region or any employee thereof;
7. I know of no reason why I should not act as attorney for the trustee herein.


Jeffrey R. Schmitt, #52966MO
Danna McKitrick, PC
7701 Forsyth Blvd., Suite 800
St. Louis, Missouri 63105
(314) 726-1000 / (314) 725-6592 (fax)
jschmitt@dmfirm.com

STATE OF MISSOURI)
) ss.
COUNTY OF ST. LOUIS)

Subscribed and sworn to before me this 29th day of April, 2014.


Notary Public

963231.doc



SARAH C. REID
My Commission Expires
September 4, 2016
St. Louis County
Commission #12498018